

and Councilman Wolf; nays, none; Councilman Gillis absent.

Upon motion, seconded and carried, the meeting was recessed at 12:50 P. M., subject to call of the Mayor.

Approved:

Tom Miller
Mayor

Attest:

Valle McKeen
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 26, 1939.

The City Council convened in regular session, at the regular meeting place in the Municipal Building, on Thursday, October 26, 1939, at 10:55 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, Simon Gillis, Mayor Tom Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The reading of the Minutes was dispensed with.

The following report of the Board of Adjustment was received:

"Austin, Texas
October 23, 1939

The Honorable Mayor and City Council
Austin, Texas

Gentlemen:

The following is a resolution which was passed by the Board of Adjustment at a meeting held on October 19, 1939:

R E S O L U T I O N .

WHEREAS, the City Council of the City of Austin, pursuant to the terms of Section 30 of the Zoning Ordinance of the City of Austin, has referred to the Zoning Board of Adjustment for its consideration a petition of A. R. Richey requesting a change in the Use designation of the following property:

Lots 1 to 17, Block 1, Rosedown Addition, Austin, Texas

from "C" Commercial District and First Height and Area District to "C-2" Commercial District and First Height and Area District; and

WHEREAS, the Board of Adjustment held a public hearing on this petition on October 19, 1939, at which hearing a number of protests against this change were registered by property owners adjacent to and near the property in question; and

WHEREAS, the petitioner filed this appeal for this change through his attorneys, Hart and Brown, attached to which were the names of eight property owners of the property to be changed; and

WHEREAS, at the public hearing two of the property owners whose names appeared upon this petition withdrew their names, affirming that the purpose of this change had been misrepresented to them, as no mention had been made of the sale of beer, wine, or liquor; and

WHEREAS, several written petitions were filed with the Board, signed by a large number of property owners of the adjacent and surrounding property, protesting this change; and

WHEREAS, it developed at the hearing that the vast majority of the surrounding property owners were strongly opposed to this change, including the Parent-Teacher Association of the new Rosedale School and the Northwest Austin Civic Club; and

WHEREAS, the Board of Adjustment carefully considered all of the arguments for and against this change and took into consideration the relation of this change of this property to the general character of the neighborhood, the effect on the public safety with respect to traffic on the two major highways bordering the same, its proximity to the new school, and the practically unanimous desire of the neighborhood to prevent the creation of a liquor zone; therefore

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT:

THAT this change in the Use designation of the above described property is not recommended to the City Council.

Respectfully submitted,

BOARD OF ADJUSTMENT

By H. F. Kuehne
Chairman. "

The following report of the Board of Adjustment was received:

"Austin, Texas
October 23, 1939

The Honorable Mayor and City Council
Austin, Texas

Gentlemen:

The following is a copy of a resolution which was passed by the Board of Adjustment at a meeting held on October 19, 1939:

R E S O L U T I O N .

WHEREAS, the City Council of the City of Austin, pursuant to the terms of Section 30 of the Zoning Ordinance of the City of Austin, has referred to the Zoning Board of Adjustment for its consideration a petition of North Millican for a change in the Use designation of the following property:

Lots 5 and 6, Block 173, fronting 50' on Congress Avenue and 110' on West 15th Street, at 1412 Congress Avenue, Austin, Texas,

from "B" Residence District and Second Height and Area District to "C" Commercial District and Second Height and Area District; and

WHEREAS, the Board of Adjustment held a public hearing on this petition on October 19, 1939, at which hearing no protests were filed against this change, but near the end two property owners joined the petitioner; and

WHEREAS, this change is for a single lot in a single ownership and would constitute a spot zone; and

WHEREAS, the petitioner's representative and the adjoining property owners agreed to the recommendation of the Board that the entire frontage of the block between 14th and 15th Streets on the west side of Congress Avenue should be changed from "B" Residence District to "C" Commercial District, and would request the Council for a re-hearing on an amended petition including the additional property; therefore

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT:

THAT the change of the single lot as above described is not recommended, but that should any change be made, the entire frontage of the west side of Congress Avenue of the block between 14th and 15th Streets shall be changed from "B" Residence District and Second Height and Area District to "C" Commercial District and Second Height and Area District for the reason that this property has become better suited for commercial purposes than for the purposes for which it is now used, as its present Use designation has not led to any development of this property which would benefit the City as a whole and the property owners thereof, and that, sooner or later, North Congress Avenue is destined to develop into a commercial street.

Respectfully submitted,

BOARD OF ADJUSTMENT

By H. F. Kuehne
Chairman. "

In accordance with published notice thereof, the Mayor declared the public hearing open on the proposal of the City Council to amend the Zoning Ordinance in the following particulars:

To amend the USE designation of the following described property so as to change same from "A" and "C" Commercial Districts to "C-2" Commercial District: all that portion of Block 10, Rosedown, a subdivision of the Geo. W. Spear Survey No. 7, in the City of Austin, Texas, lying between Lynwood Street, Hancock Drive, and Burnet Road.

To amend the USE designation of the following described property so as to change same from "B" Residence District to "C" Commercial District: 50'x110' out of Lots 5 and 6, Block 173, Original City, said property fronting 50' on Congress Avenue and 110' on West 15th Street, in the City of Austin, Texas.

Mr. Jay Brown, Attorney for A. R. Richey, the proponent of the change in zoning of that portion of Block 10, Rosedown, lying between Lynwood Street, Hancock Drive, and Burnet Road, appeared before the Council and requested permission to withdraw his client's application for change in zoning. It was the sense of the meeting that the request be granted, and the application was withdrawn accordingly.

There being no protests against the proposed change in zoning of the property at the southwest corner of Congress Avenue and 15th Street, it was the sense of the meeting that this proposed change be amended to include the entire frontage on the west side of Congress Avenue between 14th and 15th Streets, as recommended in the foregoing report of the Board of Adjustment; and that a public hearing on said amended change be called for November 16, next, at 11:00 A. M.

At the request of T. H. Neal, proponent of a change in zoning, from "C" Commercial District to "C-2" Commercial District, of the property at 920½ West 12th Street, a public hearing on the matter was set for November 16, next, at 11:00 A. M.

A public hearing on the proposed poultry ordinance was set for the next regular meeting, and the City Clerk was instructed to invite Mr. John C. Ross of the Chamber of Commerce Committee to be present at that time to offer such suggestions as he may deem necessary in the interest of the farmers in the territory surrounding Austin who may be affected by said ordinance . .

Councilman Wolf introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 29, 1937, AND RECORDED IN ORDINANCE BOOK "K", PAGES 239, ET SEQ., OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND IS RECORDED IN ORDINANCE BOOK "I", PAGES 301-318, BOTH INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDMENT HEREBY ENACTED CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT, AND THE HEIGHT AND AREA DESIGNATION FROM FIRST HEIGHT AND AREA DISTRICT TO SECOND HEIGHT AND AREA DISTRICT OF CERTAIN PROPERTY IN THE 2500 BLOCK ON MANOR ROAD, IN THE CITY OF AUSTIN, TEXAS; AND ORDERING A DELINEATION OF THE OFFICIAL USE MAP AND THE OFFICIAL HEIGHT AND AREA MAP SO AS TO SHOW THE CHANGES HEREBY ORDERED.

The ordinance was read the first time and Councilman Wolf moved that the rule be suspended and the ordinance be passed to its second reading. The motion was seconded by Councilman Alford, and the same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The ordinance was read the second time and Councilman Wolf moved that the rule be further suspended and the ordinance be passed to its third reading. The motion was seconded by Councilman Alford, and the same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The ordinance was read the third time and Councilman Wolf moved that the ordinance be finally passed. The motion was seconded by Councilman Alford, and the same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The Mayor announced that the ordinance had been finally passed.

Councilman Alford introduced the following resolution:

WHEREAS, the Austin Allright Parking Company, acting by and through Spencer J. Scott, lessee from John W. Stayton, owner of a portion of Lot 12, Block 68, of the Original City of Austin, Travis County, Texas, has made application to the City Council of the City of Austin for permission to construct a commercial driveway across the east sidewalk area of Brazos Street at a point approximately 50 feet south of the south line of East Seventh Street adjacent to the above described location, as shown upon the plan hereto attached marked 2-C-830, which plan is hereby made a part of said request; and

WHEREAS, the City Council of the City of Austin has favorably considered the granting of said request; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Austin Allright Parking Company, acting by and through Spencer J. Scott, lessee from John W. Stayton, owner of a portion of Lot 12, Block 68, of the Original City of Austin, Travis County, Texas, is hereby permitted to construct a commercial driveway across the east sidewalk area of Braxon Street at a point approximately 50 feet south of the south line of East Seventh Street adjacent to the above described location, subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-C-830, which plan is hereby made a part of this resolution, and further subject to the condition that all concrete curb, ramp and driveway construction done within the City streets shall be done by a bonded sidewalk contractor under the direction and supervision of the City Engineer of the City of Austin, and in accordance with lines and grades furnished by the Engineering Department of the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Gillis introduced the following resolution:

WHEREAS, the curb and sidewalk specifications of the City of Austin which have been previously adopted by the City Council of the City of Austin require that all curbs and sidewalks be constructed of concrete unless a special permit has been secured from the City Council of the City of Austin to construct curbs, sidewalks and ramps of other material; and

WHEREAS, Albert F. Krueger, acting by and through C. B. Hood, General Contractor, owner of Lot 13, Bryker Woods D, which property is situated at the northeast corner of the intersection of West 32nd Street and Glenview Avenue, and being locally known as 3201 Glenview Avenue, has made application to the City Council of the City of Austin for permission to construct a flagstone walk from the curb line to the property line at the above described location; and

WHEREAS, the City Council of the City of Austin has investigated and approved the construction of said flagstone walk; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Albert F. Krueger, acting by and through C. B. Hood, General Contractor, owner of Lot 13, Bryker Woods D, which property is situated at the northeast corner of the intersection of West 32nd Street and Glenview Avenue, and being locally known as 3201 Glenview Avenue, is hereby granted permission to construct a flagstone walk from the property line to the curb line at the above described location and said walk is to be constructed under the supervision and direction of the City Engineer of the City of Austin, and in accordance with lines and grades furnished by the Engineering Department of the City of Austin, and further subject to the following conditions:

That the stone shall be laid in a smooth and workmanlike manner and shall conform to the sidewalk grades and curb grades as given by the Engineering Department of the City of Austin in order that same will not create a hazard to pedestrians.

That the stone shall be placed upon a 4" concrete base and that all work within the City streets shall be done by a bonded sidewalk contractor and in accordance with the instructions and directions of the City Engineer of the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was introduced by Councilman Alford:

WHEREAS, E. A. Reno, owner of Lot 13, Block 4, Outlot 1, Division A, of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property is situated at the northwest corner of the intersection of East Sixth Street and Brushy Street, within the City of Austin, Travis County, Texas, has made application to the City Council of the City of Austin for permission to construct a commercial driveway across the west sidewalk area of Brushy Street adjacent to the above described property, as shown upon the plan hereto attached marked 2-C-831, which plan is hereby made a part of said request; and

WHEREAS, the City Council of the City of Austin has favorably considered the granting of said

request; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT E. A. Reno, owner of Lot 13, Block 4, Outlot 1, Division A, of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property is situated at the northwest corner of the intersection of East Sixth Street and Brushy Street, is hereby permitted to construct a commercial driveway across the west sidewalk area of Brushy Street, subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-C-831, which plan is hereby made a part of this resolution, and further subject to the condition that all concrete curb, ramp and driveway construction done within the City streets shall be done by a bonded sidewalk contractor under the direction and supervision of the City Engineer of the City of Austin and in accordance with lines and grades furnished by the Engineering Department of the City of Austin,

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Gillis introduced the following resolution:

WHEREAS, in Book 3, at page 109, of the Plat Records of Travis County, Texas, there appears a map or plat of a subdivision of land known as Glenview Addition; and

WHEREAS, upon said map or plat there appear various streets, one of which is known as Blanco Street; and

WHEREAS, the said Blanco Street is a northerly extension of Kerbey Lane as known and developed in Bryker Woods Addition; and

WHEREAS, there is another street within the City of Austin in a different locality known as Blanco Street; and

WHEREAS, much confusion is caused among delivery services and public records, in general, by having streets in different localities recognized by the same name; and

WHEREAS, it is deemed advisable by the City Council of the City of Austin to change the name of Blanco Street as referred to above to that of Kerbey Lane; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the name of Blanco Street as shown upon the map or plat of Glenview Addition within the City of Austin, Travis County, Texas, as referred to above, be changed to that of KERBEY LANE.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Wolf introduced the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in DUVAL STREET from East 47th Street southerly 98 feet, the centerline of which gas main shall be 11 feet west of and parallel to the centerline of said Duval Street.

Said gas main described above shall have a covering of not less than 2 $\frac{1}{2}$ feet.

(2) A gas main in COMAL STREET from Hackberry Street to Pennsylvania Avenue, the centerline of which gas main shall be 20 feet east of and parallel to the west line of said Comal Street.

Said gas main described above shall have a covering of not less than 2 $\frac{1}{2}$ feet.

(3) A gas main in EAST 13TH STREET from a point 158 feet east of Concho Street easterly 42 feet, the centerline of which gas main shall be 18 feet south of and parallel to the north line of said East 13th Street.

Said gas main described above shall have a covering of not less than 2 $\frac{1}{2}$ feet.

(4) A gas main in NAVASOTA STREET from Haskell Street northerly 98 feet, the centerline of which gas main shall be 19 feet east of and parallel to the west line of said Navasota Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(5) A gas main in HASKELL STREET from Navasota Street easterly 357 feet, the centerline of which gas main shall be 20 feet south of and parallel to the north line of said Haskell Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(6) A gas main in WHITTIER STREET from East 21st Street southerly 249 feet, the centerline of which gas main shall be 13½ feet east of and parallel to the west line of said Whittier Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(7) A gas main in SPEEDWAY FROM 31ST Street to Laurel Lane, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Speedway.

Said gas main described above shall have a covering of not less than 2½ feet.

(8) A gas main in FLETCHER STREET from South Second Street easterly 135 feet, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said Fletcher Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(9) A gas main in SOUTH SECOND STREET from Fletcher Street northerly 50 feet, the centerline of which gas main shall be 10 feet west of and parallel to the east line of said South Second Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(10) A gas main in FLORES STREET from a point 303 feet east of San Marcos Street easterly 57 feet, the centerline of which gas main shall be 6½ feet south of and parallel to the north line of said Flores Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(11) A gas main in HOLLY STREET from Chalmers Avenue easterly 190 feet, the centerline of which gas main shall be 26 feet south of and parallel to the north line of said Holly Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(12) A gas main in CHALMERS AVENUE from Holly Street southerly 132 feet, the centerline of which gas main shall be 13½ feet west of and parallel to the east line of said Chalmers Avenue.

Said gas main described above shall have a covering of not less than 2½ feet.

(13) A gas main in GARDEN STREET from Chicon Street westerly 98 feet, the centerline of which gas main shall be 19 feet south of and parallel to the north line of said Garden Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(14) A gas main in NORTH LOOP BOULEVARD across Jeff Davis Avenue intersection, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said North Loop Boulevard.

Said gas main described above shall have a covering of not less than 2½ feet.

(15) A gas main in NORTH LOOP BOULEVARD across Jim Hogg Avenue intersection, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said North Loop Boulevard.

Said gas main described above shall have a covering of not less than 2½ feet.

(16) A gas main in NORTH LOOP BOULEVARD across Joe Sayers Avenue intersection, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said North Loop Boulevard.

Said gas main described above shall have a covering of not less than 2½ feet.

(17) A gas main in NORTH LOOP BOULEVARD across Grover Avenue intersection, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said North Loop Boulevard.

Said gas main described above shall have a covering of not less than 2½ feet.

(18) A gas main in NORTH LOOP BOULEVARD across Aurora Drive intersection, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said North Loop Boulevard.

Said gas main described above shall have a covering of not less than 2½ feet.

(19) A gas main in NORTH LOOP BOULEVARD across Sunshine Drive intersection, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said North Loop Boulevard.

Said gas main described above shall have a covering of not less than 2½ feet.

(20) A gas main in JEFF DAVIS AVENUE across North Loop Boulevard intersection, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Jeff Davis Avenue.

Said gas main described above shall have a covering of not less than 2½ feet.

(21) A gas main in JIM HOGG AVENUE across North Loop Boulevard intersection, the centerline of which gas main shall be 6½ feet west of and parallel to the east line of said Jim Hogg Avenue.

Said gas main described above shall have a covering of not less than 2½ feet.

(22) A gas main in JOE SAYERS AVENUE across North Loop Boulevard intersection, the centerline of which gas main shall be 6½ feet west of and parallel to the east line of said Joe Sayers Avenue.

Said gas main described above shall have a covering of not less than 2½ feet.

(23) A gas main in GROVER AVENUE across North Loop Boulevard intersection, the centerline of which gas main shall be 5½ feet west of and parallel to the east line of said Grover Avenue.

Said gas main described above shall have a covering of not less than 2½ feet.

(24) A gas main in AURORA DRIVE across North Loop Boulevard intersection, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Aurora Drive.

Said gas main described above shall have a covering of not less than 2½ feet.

(25) A gas main in SUNSHINE DRIVE across North Loop Boulevard intersection, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Sunshine Drive.

Said gas main described above shall have a covering of not less than 2½ feet.

(26) A gas main in WEST 29TH STREET beginning at a point in the east abutment of an old bridge foundation across Shoal Creek, which point of beginning is on the end of an existing 8 inch cast iron gas main and is 14 feet south of the north line of West 29th Street as used prior to 1939; thence in a general westerly direction to a point in the center of Shoal Creek 3 feet southerly from the north line of West 29th Street previously referred to; thence continuing in a westerly direction with the prolongation of the first mentioned course to a point 7½ feet south of the north line of that portion of West 29th Street west of Shoal Creek; thence continuing in a westerly direction following a line 7½ feet south of and parallel to the north line of West 29th Street to a point approximately 15 feet west of the west abutment of the concrete bridge across Shoal Creek as completed in 1939; thence in a general southeasterly direction angling 45 degrees to the previously described course to connect with the dead end of a gas main near the north gutter line of the present asphalt roadway approach to the said concrete bridge previously mentioned.

Said gas main described above shall have a covering of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of G. W. Williams for the year 1935 on Lot 1, Block 23, Outlots 32, 33, Division "B", Glenwood Subdivision, Plat 37, in the City of Austin, Travis County, Texas, said taxes being for the sum of \$17.30; and for non-payment of same at maturity penalty in the sum of \$8.65 has been assessed, and interest in the sum of \$4.66, making the total amount of taxes, penalty and interest \$30.61; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$8.65, and one-half of the interest in the sum of \$2.33; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$8.65, and one-half of the interest in the sum of \$2.33, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$8.65, and one-half of the interest in the sum of \$2.33, off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of W. B. Fields for the year 1937 on West 2/3 of Lot 1 (A), Block 4, Outlot 45, Division "B", Johns Subdivision, Plat 42, in the City of Austin, Travis County, Texas, said taxes being for the sum of \$30.91; and for non-payment of same at maturity penalty in the sum of \$1.54 has been assessed, and interest in the sum of \$2.94, making the total amount of taxes, penalty and interest \$35.39; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$1.54, and one-half of the interest in the sum of \$1.47; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$1.54, and one-half of the interest in the sum of \$1.47, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$1.54, and one-half of the interest in the sum of \$1.47, off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of Joe Carmona for the year 1937 on Lot 13, Block 2, Outlot 9, Division "O", Plat 25, Buena Vista Subdivision, in the City of Austin, Travis County, Texas, said taxes being for the sum of \$6.38; and for non-payment of same at maturity penalty in the sum of \$0.31 has been assessed, and interest in the sum of \$0.62, making the total amount of taxes, penalty and interest \$7.31; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$0.31, and one-half of the interest in the sum of \$0.31; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$0.31, and one-half of the interest in the sum of \$0.31, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$0.31, and one-half of the interest in the sum of \$0.31, off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of Zelma A. Hall for the year 1937 on West 50' of Lot 2, Block 3, Outlot 38, Division B, O'Reilly Subdivision, Plat 33, in the City of Austin, Travis County, Texas, said taxes being for the sum of \$35.75; and for non-payment of same at maturity penalty in the sum of \$1.78 has been assessed, and interest in the sum of \$3.40, making the total amount

of taxes, penalty and interest \$40.93; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$1.78, and one-half of the interest in the sum of \$1.70; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$1.78, and one-half of the interest in the sum of \$1.70, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$1.78, and one-half of the interest in the sum of \$1.70, off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of Elizabeth Gunn for the year 1937 on North half of Lot 7 (B), Block 1, Outlot 6, Division "B", Plat 29, in the City of Austin, Travis County, Texas, said taxes being for the sum of \$9.24; and for non-payment of same at maturity penalty in the sum of \$0.46 has been assessed, and interest in the sum of \$0.88, making the total amount of taxes, penalty and interest \$10.58; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$0.46, and one-half of the interest in the sum of \$0.44; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$0.46, and one-half of the interest in the sum of \$0.44, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$0.46, and one-half of the interest in the sum of \$0.44, off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of Leigh Ellis for the year 1934 on Lot 17, Outlots 6, 7, 8, Division "Z", Enfield "B", Plat 90-A, in the City of Austin, Travis County, Texas, said taxes being for the sum of \$303.69; and for non-payment of same at maturity penalty in the sum of \$15.18 has been assessed, and interest in the sum of \$83.52, making the total amount of taxes, penalty and interest \$402.39; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$15.18, and one-half of the interest in the sum of \$41.76; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$15.18, and one-half of the interest in the sum of \$41.76, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$15.18, and one-half of the interest in the sum of \$41.76, off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of E. M. Davis for the year 1936 on 45'x90' of Lot 4 (C), Block 7, Outlot 56, Division "B", Plat 33, in the City of Austin, Travis County, Texas, said taxes being for the sum of \$23.43; and for non-payment of same at maturity penalty in the sum

of \$1.17 has been assessed, and interest in the sum of \$3.64, making the total amount of taxes, penalty and interest \$28.24; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$1.17, and one-half of the interest in the sum of \$1.82; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN;

THAT the aforesaid penalty in the sum of \$1.17, and one-half of the interest in the sum of \$1.82, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$1.17, and one-half of the interest in the sum of \$1.82, off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of Lillie Hubbard for the years 1934 and 1935 on Lot 9, Block 6, Outlot 31, Division "B", Plat 28-C, Govalle School District, adjoining the City of Austin, Travis County, Texas, said taxes being for the sum of \$6.40; and for non-payment of same at maturity penalty in the sum of \$0.32 has been assessed, and interest in the sum of \$1.58, making the total amount of taxes, penalty and interest \$8.30; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$0.32, and one-half of the interest in the sum of \$0.79; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN;

THAT the aforesaid penalty in the sum of \$0.32, and one-half of the interest in the sum of \$0.79, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$0.32, and one-half of the interest in the sum of \$0.79, off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of Fred Howard for the year 1936 on north 50'x130' of Lots 9 and 10 (A), Block 1, Outlot 35, Division "B", Plat 39, in the City of Austin, Travis County, Texas, said taxes being for the sum of \$10.56; and for non-payment of same at maturity penalty in the sum of \$0.52 has been assessed, and interest in the sum of \$1.64, making the total amount of taxes, penalty and interest \$12.72; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$0.52, and one-half of the interest in the sum of \$0.82; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN;

THAT the aforesaid penalty in the sum of \$0.52, and one-half of the interest in the sum of \$0.82, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$0.52, and one-half of the interest in the sum of \$0.82, off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of Aaron Harrison for the year 1936 on Lot 8, Block 8, Outlot 58, Division "B", Plat 36, in the City of Austin, Travis County, Texas, said

taxes being for the sum of \$14.19; and for non-payment of same at maturity penalty in the sum of \$0.70 has been assessed, and interest in the sum of \$2.20, making the total amount of taxes, penalty and interest \$17.09; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$0.70, and one-half of the interest in the sum of \$1.10; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$0.70, and one-half of the interest in the sum of \$1.10, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$0.70, and one-half of the interest in the sum of \$1.10, off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of A. J. Wilson for the year 1937 on 231'x300' of 3½ acre tract (J), Block 1-0, J. E. Bouldin, Plat 116, in the City of Austin, Travis County, Texas, said taxes being for the sum of \$11.76; and for non-payment of same at maturity penalty in the sum of \$0.58 has been assessed, and interest in the sum of \$1.84, making the total amount of taxes, penalty and interest \$14.18; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$0.58, and one-half of the interest in the sum of \$0.92; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$0.58, and one-half of the interest in the sum of \$0.92, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$0.58, and one-half of the interest in the sum of \$0.92, off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of Mrs. S. H. Sherman for the year 1936 on Lot 7, Outlot 76, Division "D", Wendlandt and Mueller, Plat 72, in the City of Austin, Travis County, Texas, said taxes being for the sum of \$56.54; and for non-payment of same at maturity penalty in the sum of \$2.83 has been assessed, and interest in the sum of \$8.78, making the total amount of taxes, penalty and interest \$68.15; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$2.83, and one-half of the interest in the sum of \$4.39; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$2.83, and one-half of the interest in the sum of \$4.39, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$2.83, and one-half of the interest in the sum of \$4.39, off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of E. H. Parson for the year 1937 on

Lot 26, Pleasant View, Plat 124, in the City of Austin, Travis County, Texas, said taxes being for the sum of \$18.27; and for non-payment of same at maturity penalty in the sum of \$0.91 has been assessed, and interest in the sum of \$1.74, making the total amount of taxes, penalty and interest \$20.92; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$0.91, and one-half of the interest in the sum of \$1.74; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$0.91, and one-half of the interest in the sum of \$1.74, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$0.91, and one-half of the interest in the sum of \$1.74, off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of J. R. Lucas Estate for the years 1932, 1934-1938, inclusive, on Lot 7, Block 7, Outlet 5, Division "2", Silliman Subdivision, Plat 94, in the City of Austin, Travis County, Texas, said taxes being for the sum of \$265.45; and for non-payment of same at maturity penalty in the sum of \$13.27 has been assessed, and interest in the sum of \$49.94, making the total amount of taxes, penalty and interest \$328.66; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$13.27, and one-half of the interest in the sum of \$24.97; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$13.27, and one-half of the interest in the sum of \$24.97, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$13.27, and one-half of the interest in the sum of \$24.97, off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of Charles E. Petmecky, Sr., for the years 1932-1938, inclusive, on Lot 2, Block 1, N. 1/2 of Outlet 4, Division "2", Plat 92, and on personal property for the year 1937, in the City of Austin, Travis County, Texas, said taxes being for the sum of \$353.75; and for non-payment of same at maturity penalty in the sum of \$17.70 has been assessed, and interest in the sum of \$73.16, making the total amount of taxes, penalty and interest \$444.61; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$17.70, and two-thirds of the interest in the sum of \$48.78; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$17.70, and two-thirds of the interest in the sum of \$48.78, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$17.70, and two-thirds of the interest in the sum of \$48.78, off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-third of the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of James Miller for the year 1938 on

Lot 65, Tarrytown Place, Plat 163, in the City of Austin, Travis County, Texas, said taxes being for the sum of \$102.38; and for non-payment of same at maturity penalty in the sum of \$5.11 has been assessed, and interest in the sum of \$3.07, making the total amount of taxes, penalty and interest \$110.56; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$5.11; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$5.11 is hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$5.11 off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Upon motion, seconded and carried, the meeting was recessed at 11:30 A. M., subject to call of the Mayor.

Approved:

Tom Miller
Mayor

Attest:

Walter M. Keller
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, November 2, 1939.

The City Council convened in regular session, at the regular meeting place in the Municipal Building, on Thursday, November 2, 1939, at 10:50 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf; absent, NONE.

The reading of the Minutes was dispensed with.

The following resolution was introduced by Councilman Bartholomew:

WHEREAS, in Book 3, page 107, of the Plat Records of Travis County, Texas, there appears a map or plat of a subdivision of land known as Westfield "A"; and

WHEREAS, upon said map or plat there are shown various streets, one of which streets is west of and contiguous to the west right-of-way line of the I&GN Railroad and is known and designated upon said map or plat as Saybrook Lane; and

WHEREAS, the said Saybrook Lane adjacent to Lots 1, 2, 3, 4, and 5, Block 11, of said Westfield "A" has never been developed and used for street or roadway purposes; and

WHEREAS, J. T. Ward and W. C. Treadwell are the owners of the aforesaid Lots 1, 2, 3, 4, and 5, Block 11, and contemplate the re-platting of said lots into smaller lots and have planned to lay out